

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO**

AGCS MARINE INSURANCE
COMPANY,

PLAINTIFF

v.

FONT INSURANCE, INC., et al.

DEFENDANTS

CIVIL NO. 18-cv-1951 (GAG)

**MOTION INFORMING COMPLIANCE WITH COURT ORDER AND FOR
ADDITIONAL RELIEF**

COME NOW Font Insurance, LLC, formerly known as Font Insurance, Inc. (“Font Insurance”) and Mr. Manuel F. Font (“Mr. Font” and together with Font Insurance, “Defendants”) and state and request as follows:¹

1. As relevant here, on August 19, 2020, the Court issued an Order directing Defendants to “submit to Plaintiff a certification, under penalty of perjury, from a representative of Defendants certifying that Defendants nor their employees possess the Sylint Report” by August 26, 2020. See Docket No. 66.

2. In compliance with that Order, earlier today, Defendants provided Plaintiff with the requested declaration executed by Mr. Manuel Font in his capacity as President of Font Insurance.

3. Relatedly, on August 20, 2020, Plaintiff filed a Motion Requesting Resetting of Discovery and Dispositive Motion Deadlines where it requested that the discovery and dispositive motions deadline be reset for 90 days. See Docket No. 67.

¹ Any term not expressly defined herein shall be construed as having the same meaning given to in the Opposition at Docket No. 55.

4. In addition, Plaintiff informed that it had produced its expert report, but reserved the right to amend it “if additional technical information is obtained” and stressed that Defendants had “30 days, counted from the production of AGCS’ expert report on August 17, to produce their expert report.” Id.

5. On August 25, 2020, the Court granted Plaintiff’s motion and, accordingly, reset the discovery deadline for November 18, 2020 and the dispositive motion deadline for December 18, 2020. See Docket No. 69.

6. To the extent that it is unclear whether the expert report submitted by Plaintiff on August 17, 2020 will undergo additional changes, Defendants request that the 30-day period for them to produce their rebuttal report be counted from the date in which Plaintiff confirms that its expert report is in final form.

7. This request is made on judicial efficiency grounds and will avoid Defendants from having to expend resources associated with rendering multiple rebuttal reports in the event that Plaintiff’s expert report undergoes additional changes.

8. Furthermore, this request will not delay discovery or any other current procedural deadline in this case.

WHEREFORE, Defendants request that the Court (a) take notice of the foregoing; and (b) order that the 30-day period for them to produce their rebuttal report be counted from the date in which Plaintiff confirms that its expert report is in final form.

RESPECTFULLY SUBMITTED.

In San Juan, Puerto Rico, this 26th day of August, 2020.

WE HEREBY CERTIFY that on this date, we electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to the parties appearing in said system.

O'NEILL & BORGES LLC
250 Muñoz Rivera Avenue, Suite 800
San Juan, PR 00918-1813
Tel: (787) 764-8181
Fax: (787) 753-8944

s/Omayra Sepulveda-Vega
Omayra Sepulveda-Vega
USDC No. 231808
omayra.sepulveda@oneillborges.com

s/Daniel J. Perez-Refojos
Daniel J. Perez-Refojos
USDC 303909
daniel.perez@oneillborges.com